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In re: DAVID TERNES : DECISION ON
Serial No.: 10/723,023 : FOR WITHDRAWAL OF
Filing date: November 26, 2003 : S.I.R. REQUEST
Docket No: 279.383USS

Title: DYNAMIC BLANKING AND RECHARGE
INTERVALS FOR CARDIAC RHYTHM
MANAGEMENT

This is a decision on the petition filed on June 29, 2004 for withdrawal of a request for Statutory Invention Registration (SIR) in the above-identified application.

On November 26, 2003, a request for statutory invention registration was filed in the Office. Such a request is detailed in 37CFR 1.296 as cited below:

37 CFR 1.296. Withdrawal of request for publication of statutory invention registration. A request for a statutory invention registration, which has been filed, may be withdrawn prior to the date of the notice of the intent to publish a statutory invention registration issued pursuant to § 1.294(c) by filing a request to withdraw the request for publication of a statutory invention registration. The request to withdraw may also include a request for a refund of any amount paid in excess of the application filing fee and a handling fee of \$130.00 which will be retained. Any request to withdraw the request for publication of a statutory invention registration filed on or after the date of the notice of intent to publish issued pursuant to § 1.294(c) must be in the form of a petition pursuant to § 1.183 accompanied by the fee set forth in § 1.17(h). Therefore, pursuant to 37 CFR 1.296 the request for statutory invention registration will be removed from the instant application and the fees refunded to the applicant.

To date, a determination to publish the SIR request has not been made. Therefore the request is GRANTED.

A message will be forwarded to the appropriate office for consideration of the request for refund.

Any questions or concerns regarding this decision should be forwarded to Michael Carone @
571 272-6873.



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